



10/057,225

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Leonard Forbes

Examiner: Michael Trinh

Serial No.: 10/057,225

Group Art Unit: 2822

Filed: January 25, 2002

Docket: 303.506us4

Title: **STRUCTURE AND METHOD FOR IMPROVED SIGNAL PROCESSING**

Handwritten signature and date: 6/10/03

PETITION TO CORRECT INVENTORSHIP
PURSUANT TO 37 C.F.R. §1.48(c)

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Wendell P. Noble, Jr., make this petition pursuant to 37 C.F.R. § 1.48(c), to correct the inventorship of the invention claimed in the above-identified patent application, U.S. Patent Application Serial No. 10/057,225.

When the present application was filed, Leonard Forbes was the sole named inventor. However, because claims in the above-identified patent application have elements that are found in application 09/144,202, now U.S. Patent 6,320,222, originally incorporated by reference in the present application, Applicant's representatives have determined that the correct inventors are now Leonard Forbes and Wendell P. Noble, Jr.

Petitioner hereby requests that Wendell P. Noble, Jr. be added as inventor of the above-identified application.

Furthermore, Wendell P. Noble, Jr. hereby states that the addition of him as inventor is made necessary by claims of the present application having elements from application 09/144,202, incorporated by reference, and that the error which caused the inventive entity to be set forth in error in the executed 37 C.F.R. § 1.63 declaration in the above-identified application arose without deceptive intent on his part.

In summary, at the time the present application was filed, the inventor of the subject matter claimed in the present application appeared to solely be Leonard Forbes. Therefore, correction of the inventorship of the present application is appropriate under 37 C.F.R. § 1.48(c), and consideration of this amendment is respectfully requested.

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A check in the amount of \$130.00 to cover the requested fee as required under 37 C.F.R. 1.17 is attached. The Examiner is hereby authorized to charge Deposit Account No. 19-0743 for any additional fees that may be required.

May 21, 2003
Date

Wendell P. Noble, Jr.
Wendell P. Noble, Jr.

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Title: STRUCTURE AND METHOD FOR IMPROVED SIGNAL PROCESSING

CONSENT OF ASSIGNEE TO CORRECTION OF INVENTORSHIP

Assistant Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Micron Technology, Inc., a corporation existing under and by virtue of the laws of the state of Delaware, being the sole owner of the above-identified patent application, as evidenced by the Assignment filed September 1, 1998, hereby consents to the change of inventorship in the above-identified patent application from the sole inventorship of Leonard Forbes to the joint inventorship of Leonard Forbes and Wendell P. Noble, Jr.

I declare that I am an Official of the Assignee who is empowered to authorize this consent.

Date: 5-23-03

By: [Signature]

Name: Michael L. Lynch

Title: Chief Patent Counsel

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 27th, 2003.

Name

Amy Morawitz

Signature

[Signature]



S/N 10/057,225

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Leonard Forbes

Examiner: Michael Trinh

Serial No.: 10/057,225

Group Art Unit: 2822

Filed: January 25, 2002

Docket: 303.506US4

Title: STRUCTURE AND METHOD FOR IMPROVED SIGNAL PROCESSING

AMENDMENT

Mail Stop RCE
Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 CFR 1.48(c), please correct the inventorship of the above-identified application from the sole inventorship of Leonard Forbes to the joint inventorship of Leonard Forbes and Wendell P. Noble Jr.

The amendment is accompanied by: (a) a Declaration signed by the actual joint inventors; (b) a Petition to Correct Inventorship Pursuant to 37 C.F.R. § 1.48(c), including statements from the inventor to be added in Support of Petition to Correct Inventorship Under 37 CFR 1.48(c); (c) the fee of \$130.00; and (d) the Consent of Assignee to Correction of Inventorship.

Since the error arose without any deceptive intention on the part of the person, who, through error, was not named as an inventor, it is submitted that the entry of this amendment is appropriate and is respectfully requested.

Respectfully submitted,

LEONARD FORBES ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 371-2157

Date 27 MAY 2003

By

David R. Cochran
David R. Cochran
Reg. No. 46,632

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop RCE, Assistant Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 27th day of May, 2003.

Name

Amy Moriarty

Signature

Amy Moriarty

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/057,225	01/25/2002	2822	1256	303.506US4	2	30	7

CONFIRMATION NO. 3248

21186

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. BOX 2938
MINNEAPOLIS, MN 55402

FILING RECEIPT



OC000000007697116

Date Mailed: 03/22/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Leonard Forbes, Corvallis, OR;

Assignment For Published Patent Application

Micron Technology, Inc.;

DV

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/560,777 04/28/2000
WHICH IS A DIV OF 09/145,100 09/01/1998 PAT 6,104,068

Foreign Applications

If Required, Foreign Filing License Granted 03/21/2002

Projected Publication Date: 06/27/2002

Non-Publication Request: No

Early Publication Request: No

Title

Structure and method for improved signal processing

Preliminary Class

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Woessner & Kluth, P.A.

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**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

United States Patent Application

COMBINED SUPPLEMENTAL DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name;

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **STRUCTURE AND METHOD FOR IMPROVED SIGNAL PROCESSING.**

The specification of which was filed on January 25, 2002 as application serial no. 10/057,225 and was amended on November 20, 2002.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

This application is a continuation of application, U.S. serial no. 09/560,777, filed April 28, 2000, now U.S. Patent No.6,413,825 issued July 2, 2002, which is a divisional of application, U.S. serial no. 09/145,100, filed on September 1, 1998, now U.S. Patent No.6,104,068 issued August 15, 2000.

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. M	Reg. No. 24,916	Harris, Robert J	Reg. No. 37,346	Nelson, A. J	Reg. No. 28,650
Arora, Suneel	Reg. No. 42,267	Jackson Huebsch, Katharine A	Reg. No. 47,670	Nielsen, Walter W	Reg. No. 25,539
Beekman, Marvin L	Reg. No. 38,377	Jurkovich, Patti J	Reg. No. 44,813	Padys, Danny J	Reg. No. 35,635
Bianchi, Timothy E	Reg. No. 39,610	Kalis, Janal M	Reg. No. 37,650	Parker, J. K	Reg. No. 33,024
Billion, Richard E	Reg. No. 32,836	Klima-Silberg, Catherine I	Reg. No. 40,052	Peacock, Gregg A	Reg. No. 45,001
Black, David W	Reg. No. 42,331	Kluth, Daniel J	Reg. No. 32,146	Perdok, Monique M	Reg. No. 42,989
Brennan, Thomas F	Reg. No. 35,075	Lacy, Rodney L	Reg. No. 41,136	Peret, Andrew R	Reg. No. 41,246
Chadwick, Robin A	Reg. No. 36,477	Lemaire, Charles A	Reg. No. 36,198	Peterson, David C	Reg. No. 47,857
Clark, Barbara J	Reg. No. 38,107	Lundberg, Steven W	Reg. No. 30,568	Prout, William F	Reg. No. 33,995
Clise, Timothy B	Reg. No. 40,957	Lundberg, Steven W	Reg. No. 30,568	Puckett, Craig L	Reg. No. 43,023
Cochran, David R	Reg. No. 46,632	Maki, Peter C	Reg. No. 42,832	Schumm, Sherry W	Reg. No. 39,422
Dahl, John M	Reg. No. 44,639	Malen, Peter L	Reg. No. 44,894	Schwegman, Micheal L	Reg. No. 25,816
DeLizio, Andrew	Reg. No. 52,806	Mates, Robert E	Reg. No. 35,271	Speier, Gary J	Reg. No. 45,458
Drake, Eduardo E	Reg. No. 40,594	McCrackin, Ann M	Reg. No. 42,858	Steffey, Charles E	Reg. No. 25,179
Embretson, Janet E	Reg. No. 39,665	McGough, Kevin J	Reg. No. 31,279	Stordal, Leif T	Reg. No. 46,251
Forrest, Bradley A	Reg. No. 30,837	McTavish, Hugh E	Reg. No. 48,341	Terry, Kathleen R	Reg. No. 31,884
Gorrie, Gregory J	Reg. No. 36,530	Mehrle, Joseph P	Reg. No. 45,535	Tong, Viet V	Reg. No. 45,416
Gortych, Joseph E	Reg. No. 41,791	Muller, Mark V	Reg. No. 37,509	Viksins, Ann S	Reg. No. 37,748
Greaves, John N	Reg. No. 40,362	Nama, Kash	Reg. No. 44,255	Woessner, Warren D	Reg. No. 30,440

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to **Schwegman, Lundberg, Woessner & Kluth, P.A.** at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)373-6900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1 : **Leonard Forbes**

Citizenship: **United States of America**

Residence: **Corvallis, OR**

Post Office Address: **965 NW Highland Terrace
Corvallis, OR 97330**

Signature: _____
Leonard Forbes

Date: _____

Full Name of joint inventor number 2 : **Wendell P. Noble Jr.**

Citizenship: **United States of America**

Residence: **Milton, VT**

Post Office Address: **83 Hibbard Road
Milton, VT 05468**

Signature: Wendell P. Noble Jr.
Wendell P. Noble Jr.

Date: May 21, 2003

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

----- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

United States Patent Application

COMBINED SUPPLEMENTAL DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name;

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Beekman, Marvin I.	Reg. No. 38,377	Jurkovich, Patti J	Reg. No. 44,813	Padys, Danny J	Reg. No. 35,635
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Brennan, Thomas F	Reg. No. 35,075	Lacy, Rodney L	Reg. No. 41,136	Peret, Andrew R	Reg. No. 41,246
Chadwick, Robin A	Reg. No. 36,477	Lemaire, Charles A	Reg. No. 36,198	Peterson, David C	Reg. No. 47,857
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Greaves, John N	Reg. No. 40,362	Nama, Kash	Reg. No. 44,255	Woessner, Warren D	Reg. No. 30,440

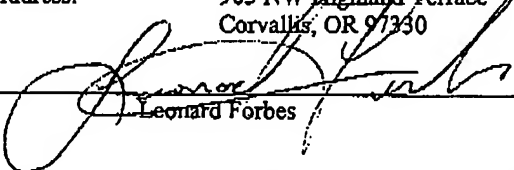
I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402
Telephone No. (612)373-6900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1: Leonard Forbes
Citizenship: United States of America Residence: Corvallis, OR
Post Office Address: 965 NW Highland Terrace
Corvallis, OR 97330

Signature:  Date: 21 MAY 03

Full Name of joint inventor number 2: Wendell P. Noble Jr.
Citizenship: United States of America Residence: Milton, VT
Post Office Address: 83 Hibbard Road
Milton, VT 05468

Signature: Wendell P. Noble Jr. Date: _____

§ 1.56 Duty to disclose information material to patentability.

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(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

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(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.